



Comment Period-Hearing Notice

Proposed Stillaguamish Water Management Rule

**Comment Period Ends
April 25, 2005**

WORKSHOPS/HEARINGS

Presentation and Q & A
to precede hearing.

Mount Vernon

March 24, 1:30 pm
Police & Court Campus
Multipurpose Room
1805 Continental Place

Arlington

March 24, 7:00 pm
Stillaguamish Valley
Pioneer Museum
Pioneer Hall
20722 67th Ave. NE

**For information or to send
comments**

Dept. of Ecology
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3190 – 160th Ave. SE
Bellevue, WA 98008
Fax: 425-649-7098
Phone: 425-649-7066

**Note: See page 3 for
affected water bodies**

Comment Online:

[www.ecy.wa.gov/
programs/wr/instream-
flows/stillaguamishbasin.html](http://www.ecy.wa.gov/programs/wr/instream-flows/stillaguamishbasin.html)

**Join the Water Resources
e-mail list at:**

[http://www.ecy.wa.gov/
programs/wr/wrhome.html](http://www.ecy.wa.gov/programs/wr/wrhome.html)

The Department of Ecology (Ecology) will hold two workshops with hearings to accept written and oral public comments on the proposed water management rule for the Stillaguamish River basin – Instream Resource Protection & Water Resource Program, Chapter 173-505 WAC (Washington Administrative Code). As part of rule making, Ecology developed a Small Business Economic Impact Statement (SBEIS), a preliminary cost-benefit analysis, and issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act. All these documents are available for review with public comments accepted through April 25. During the hearings, staff will explain the draft rule, answer questions and record testimony. (*See side bar.*)

Background

Since 1998, Ecology has been aiding and supporting locally-based watershed planning in 45 river basins. Some planning groups have submitted recommendations to Ecology to establish instream flow rules in their river systems. These rules would describe the flow levels needed in streams at specific locations and times to protect resources such as fish, wildlife, recreation, navigation and water quality. In the Stillaguamish River basin, however, no watershed planning group was formed so stream-flow work is being conducted by Ecology in cooperation with the state Fish and Wildlife Department, Tulalip and Stillaguamish Indian tribes and local governments in Skagit and Snohomish counties.

Purpose of proposed rule

Ecology is required by law to protect fish, wildlife, water quality, recreation and aesthetics in the watershed while also providing water for future human needs. The proposed Stillaguamish water-management rule would set instream flows to protect fish spawning and rearing while setting aside 5000 gallons a day of underground (ground) water for future rural households and minor small business uses that would not need a water right. The rule also reserves a smaller amount of surface and ground water for grazing livestock. The proposed rule would close many tributaries in the basin to further water-right allocations, determine how future water-right permits might be obtained and set maximum water allocation limits.

Small domestic ground-water withdrawals

A limited quantity of ground water would be reserved to serve future household needs (drinking, cooking, bathing, etc.) and minor small business uses (sinks, toilets, showers). Those tapping the ground water reserve would not be subject to instream flows. The reserve would not significantly affect fish habitat.

Other conditions for using the reservation would include:

- Limiting outdoor watering to 1/12 acre or 3,630 square feet (about the size of a 75-by 48-foot lot).
- Not allowing new water uses if water can be provided by a water purveyor in a timely and reasonable manner. Requiring local governments to share in the administration of the reservation in order to make it available to residents.

Livestock watering

For grazing livestock, one cubic foot per second (cfs) of surface water would be retained in the basin. Approximately 650,000 gallons a year of ground water would be reserved for future livestock watering. The use of the ground water under the livestock-water reservation does not require a water-right permit, provided the use is less than 5,000 gallons a day by an individual user. The reserve would not be available for feedlots or other large concentrated animal feeding operations such as dairies.

New water rights, closures, and instream flows

Under the proposed rule, new water rights would be subject to the instream flows. Many streams with limited flows will be closed to future water uses. Therefore, new surface or ground water permits would only be considered under any of the following situations:

- The ground-water use qualifies for one of the reservations.
- The proposed use does not reduce the amount of water in the water source.
- The applicant elects to submit a scientifically-sound plan that offsets any adverse environmental effects of using water. The plan would need prior Ecology approval.
- Ground water use would not impair any senior water rights, including stream flows, or reduce stream flows in a closed basin.

Alternative sources of water

Population growth is putting tremendous strain on Washington's water supplies. Even in wet years, water is not necessarily available where or when it is most needed, especially during summer and fall and dry years when demand is greatest. There is a continuing need for ongoing and reliable sources for new water uses. Based on this need, the proposed rule would encourage the continued development and use of alternative sources of water.

Ecology would work with counties and utilities to help acquire the resources and expertise to develop other reliable water sources for new uses, including:

- Water-storage facilities.
- Conservation and efficiency measures.
- Water reuse and reclamation efforts.
- Establishing trust water-right programs that make it easier to lease, purchase or donate existing water rights and saved water.

For more information

For information regarding the workshop/hearings, contacts, or submitting comments, see the information in the sidebar on page 1. Visit the following Web page for more information or to submit comments electronically: <http://www.ecy.wa.gov/programs/wr/instream-flows/stillaguamishbasin.html>

Join our e-mail list to receive periodic electronic updates on new and significant water resources activities at <http://www.ecy.wa.gov/programs/wr/wrhome.html>

If you require this document in an alternate format, please contact the Water Resources Program at (360) 407-6600 or TTY (for the speech or hearing impaired) at 711 or 1-800-833-6388.

AFFECTED WATER BODIES

The rule applies to all other small or unnamed lakes and streams within the Stillaguamish River basin not specifically listed below.

***Denotes seasonal open basins**

LAKES/PONDS

Bald Mountain Lake
Bandana Lake
Beaver Plant Lake
Blue Pool
Boardman Lake
Bowers Lake
Bryant Lake
Bullon Lake
Canaday Dam
Canyon Lake
Chain Lakes
Chitwood Lake
Clear Lake
Coal Lake
Cummings Lake
Cutthroat Lakes
Dahlbero Ponds
East Boardman Lake
Edward Springs
Reservoir
Fortson Ponds
Frailey Ponds
Gordon Lake
Granite Lake
Granite Lake Potholes
Harry Lake
Hawkins Lake
Heather Lake
Hempel Lake
Hubbard Lake
Independence Lake
Jordan Ponds
Kelcema Lake
King Lake

La Barge Lake
Lake Armstrong
Lake Cavanaugh
Lake Evan
Lake Howard
Lake Ki
Lake Martha
Lake Rowland
Lake Twentytwo
Larch Lake
Little Lake
Lost Lake
Martha Lake
McGillicuddys Duck
Pond
Mount Bullon Lakes
Mud Lake
Myrtle Lake
Noble Lake
Olson Lake
Pinnacle Lake
Rainbow Springs Dam
Riley Lake
Saddle Lake
Seabury Pond
Segelsen Lake
Shelf Lake
Summer Lake
Sunday Lake
Tucker Lake
Tupso Lake
Twin Lakes
Twin Lakes
Twentytwo Lake
Wagner Lake
Wheeler Lake

STREAMS/CREEKS

Alder Cr
Armstrong Cr
Ashton Cr
Baldy Cr
Bear Cr
Bear Cr
Bear Cr
Beaver Cr
Bender Cr
Benson Cr
Black Cr
Blackjack Cr
Boardman Cr
Boulder River
Brooks Cr
Buck Cr
Buckeye Cr
*Canyon Cr
Cascade Cr
Church Cr
Coal Cr
Cook Slough
Cranberry Cr
Crane Cr
Crevice Cr
Cub Cr
Deer Cr
Deforest Cr
Dicks Cr
Ditney Cr
Freedom Cr
French Cr
Fry Cr
Furland Cr
Gerkman Cr
Gordon Cr
Harvey Cr
Hat Slough
Hawthorn Cr
Heather Cr
Hell Cr
Hempel Cr
Higgins Cr
Jackson Gulch
Jim Cr
Jordan Cr
Little Deer Cr
Little Jim Cr

Long Cr
M. Branch
Stillaguamish River
Mallardy Cr
Marble Gulch
March Cr
Marten Cr
Meadow Cr
Montague Cr
Moose Cr
N Branch Stillaguamish
River
N. Fork Canyon Cr
*North Fork
Stillaguamish River
Palmer Cr
Perry Cr
*Pilchuck Cr
Portage Cr
Porter Cr
Rick Cr
Rock Cr
Rollins Cr
Rotary Cr
S. Branch
Stillaguamish River
S. Fork Canyon Cr
Saddle Cr
Schweitzer Cr
Segelsen Cr
Sevenmile Cr
Siberia Cr
Silver Gulch
*South Fork
Stillaguamish River
South Pass
South Slough
*Squire Cr
*Stillaguamish River
Triple Cr
Tupso Cr
Turlo Cr
Twentytwo Cr
West Pass
Wiley Cr
Windy Cr

Stillaguamish River Basin

